

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**MEMO ENDORSED**

UNITED STATES OF AMERICA,

Plaintiff,

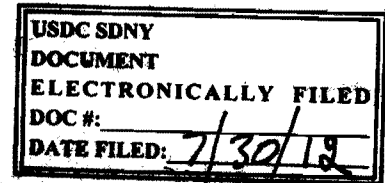
v.

THE BANK OF NEW YORK MELLON,

Defendant.

Case No. 11 Civ. 06969 (LAK)

ECF Case

**NOTICE OF MOTION BY THE BANK OF NEW YORK MELLON
TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendant The Bank of New York Mellon, upon the accompanying Memorandum of Law in Support of Defendant The Bank of New York Mellon's Motion to Dismiss the Amended Complaint and the exhibits attached thereto, will move, by and through its undersigned attorneys, before the Honorable Lewis A. Kaplan, United States District Judge at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, on such date and time as the Court will determine, for an Order under Federal Rule of Civil Procedure 12(b)(6) dismissing all claims asserted in the Amended Complaint.

*Denied as moot given
filing of second amended
complaint*

SO ORDERED

[Signature]

LEWIS A. KAPLAN, USDC

7/30/12